

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
OpBiz L.L.C.)	File No. EB-10-LA-0127
Licensee of Radio Station WPQB292)	
)	NOV No. V201132900005
Las Vegas, Nevada)	

NOTICE OF VIOLATION

Released: November 1, 2010

By the District Director, Los Angeles Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to OpBiz L.L.C. ("OpBiz"), licensee of radio station WPQB292 in Las Vegas, Nevada.

2. On June 22, 2010, an agent of the Enforcement Bureau's Los Angeles Office monitored OpBiz's transmissions on 452.0250 MHz emanating from the Planet Hollywood Resort & Casino in Las Vegas, Nevada, and observed the following violation:

- a. 47 C.F.R. § 90.425(a): "[E]ach station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code..." The frequency was monitored continuously for over 20 minutes. Numerous transmissions were detected, yet no transmission of a call sign or International Morse Code was heard.

3. On June 23, 2010, an agent of the Enforcement Bureau's Los Angeles Office inspected OpBiz's station at 3667 Las Vegas Blvd. South (Planet Hollywood Resort & Casino) in Las Vegas, Nevada, and observed the following violations:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part..." The authorization lists an antenna height of 12 meters. The actual height was approximately 21 meters. Additionally, the WPQB292 authorization lists conventional operation,

¹ 47 C.F.R. § 1.89.

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however, the frequencies 451.450, 452.0250, and 452.6250 MHz were operated as a trunked system.

4. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, OpBiz must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of OpBiz. Indicate whether current information (licensee name, mailing address, FCC Registration Number, etc.) for WPQB292 is still accurate. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Los Angeles District Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

5. This Notice shall be sent to OpBiz L.L.C., at its address of record.

6. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Nader Haghghat
District Director
Los Angeles District Office
Western Region
Enforcement Bureau

CC: Planet Hollywood Resort and Casino

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*